

REMARKS/ARGUMENTS

This case has been carefully reviewed and analyzed in view of the Official Action dated 28 September 2004. Responsive to the objections and rejections made in the Official Action, Claims 1, 3, 4, 6 and 7 have been amended to clarify the language thereof, and Claim 9 has been cancelled by this Amendment.

In the Official Action, the Examiner objected to Claims 1, 3 – 4, 6 – 7 and 9 due to informalities therein. Accordingly, Claims 1, 3, 4, 6, and 7 have been amended to correct those informalities kindly noted by the Examiner, as well as several other language errors found therein.

In the Official Action, the Examiner rejected Claims 1 – 4, 6 – 7 and 9 under 35 U.S.C. § 102, as being anticipated by Anderson, U.S. Patent No. 5,267,129, and rejected Claims 5, 8 and 10 – 11 under 35 U.S.C. § 103, as being unpatentable over Anderson.

Before discussing the prior art reference relied upon by the Examiner, it is believed beneficial to first briefly review the structure of the invention of the subject Patent Application, as now claimed. The invention of the subject Patent Application is directed to a generator assembly and lighting element for use with a pneumatic tool. The assembly comprises a body which includes a channel formed therein and a first passage defined in the body. The first passage has a first end adapted to communicate with an exhaust outlet of a pneumatic tool and a second end in fluid communication with the channel through an opening in an inner

periphery of the channel for carrying exhaust gas from the pneumatic tool to the channel. The body includes a second passage formed therein having a first end in fluid communication with the channel and a second end extending to an outer periphery of the body for exhausting exhaust gas from the channel. The generator assembly includes a generator mounted in the body for generating electric power to the lighting element. The generator has a turbine extending into the channel and being in eccentric correspondence with the opening in the inner periphery of the channel for exhaust gas from the pneumatic tool to drive the turbine. The assembly includes the light element which is adapted to be attached to an operation end of the pneumatic tool and electrically connected to the generator. The assembly includes a sleeve securely mounted around the body for airtightly closing the channel in the body.

In contradistinction, the Anderson reference is directed to a pneumatic lighting apparatus wherein compressed air from a source drives a pneumatic motor coupled to a generator for supplying power to a lamp. Contrary to the Examiner's interpretation of the disclosure relative to Figures 1 – 6 of the reference, the reference teaches away from the structure of the invention of the subject Patent Application. Rather than utilizing exhaust air from an air tool for driving the turbine of a generator, the reference discloses a system wherein compressed air is supplied to an inlet passage 64 which extends between a pivotal inlet connector 66 and the pneumatic motor 46 and supplies the compressed air through a nozzle 72

to drive the turbine 46 and thereby provide rotational input to the rotor shaft of the electrical generator 44. Exhaust air from the air motor 46 passes through the outlet nozzle 74, through the outlet passage 68, the check valve 78 and the exhaust 80, column 5, lines 20 – 45. The device includes a ventilation manifold 16 which is operated by means of the valve 76. When operated, the exhaust air from the outlet passage 68 is directed into the manifold 16. Thus, even if the ventilation manifold 16 is considered a pneumatic tool, there is no disclosure or suggestion of a first passage having a first passage which carries exhaust gas from the pneumatic tool to the channel, as claimed. Further, there is not a second passage which then carries the exhaust gas from the channel to an outer periphery of the body. Even considering the tool apparatus of Fig. 13, such still lacks the passages of the invention of the subject Patent Application. In the embodiment of Fig. 13, compressed air supplied to an inlet 146 through a supply passage 154 which includes a branch 156. By operation of the control valve 158, compressed air may be supplied to the turbine of the electrical generator through an inlet passage 160, while the pneumatic tool receives the compressed air from the supply passage 154. Thus, the compressed air is supplied in parallel to both the turbine of the electrical generator and the turbine of the pneumatic tool, and requiring a greater pressure from the compressed air source in order to supply both air motors.

Whereas in the invention of the subject Patent Application, the exhaust air from the pneumatic tool is utilized to drive the turbine of the electrical generator,

thereby avoiding the need for a higher pressure source, providing a more efficient system. Essentially, the invention of the subject Patent Application utilizes waste gas from a pneumatic tool for providing the energy to drive the electrical generator.

As the reference fails to disclose each and every one of the elements of the invention of the subject Patent Application, as now claimed, it cannot anticipate that invention. Further, as the reference fails to suggest the combination of elements of the invention of the subject Patent Application, and in fact teaches away from that combination, it cannot make obvious that invention either. It is believed that the Claims dependent on Claim 1 provide further patentably distinct limitations, but are at least patentably distinct for the same reasons as Claim 1.

For all the foregoing reasons, it is now believed that the subject Patent Application has been placed in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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